



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____ Inventor(s)
 for _____ Title of invention

OR**In re application of:** Larry S. Eoff, et al**Application No.: 0 10 / 763,800**

Filed: 01/24/2004

Group Art Unit:**Examiner:**For: Methods and Compositions for the Diversion of Aqueous Injection Fluids
in Injection Operations**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

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37 C.F.R. § 1.10 *

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* Only the date of filing (§ 1.8) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.8(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

WARNING: No extension of time can be had under 37 C.F.R. § 1.138 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 18, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the International preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 608, M.P.E.P., 8th Edition.

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [8-3]—page 2 of 3)

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.



SIGNATURE OF PRACTITIONER

Reg. No.: 28,626

Robert A. Kent

Tel. No.: (580) 251-3125

(type or print name of practitioner)

Customer No.:

P.O. Box 1431

P.O. Address

Duncan, OK 73536-0440

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [8-3]—page 3 of 3)



PATENT 2003-IP-009464U1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Larry S. Eoff, et al)
Serial No.: 10/763,800) Art Unit: Unknown
Filed: 01/24/2004) Examiner: Unknown
For: Methods and Compositions for the)
Diversion of Aqueous Injection)
Fluids in Injection Operations)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

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U.S. Patent Number 2,863,832 issued 12/09/58 to Richard L. Perrine;

U.S. Patent Number 2,910,436 issued 10/27/59 to Irving Fatt, et al;

U.S. Patent Number 3,215,199 issued 11/02/65 to Richard E. Dilgren;

U.S. Patent Number 3,251,415 issued 05/17/66 to Caurino C. Bombardieri, et al;

U.S. Patent Number 3,297,090 issued 01/10/67 to Richard E. Dilgren;

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U.S. Patent Number 3,382,924 issued 05/14/68 to Carl D. Veley, et al;

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11/18/04 by Larry S. Eoff, et al (S/N 10/760,443, Ref. No. 2001-IP-005267U1P1,
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Copies of the aforementioned non-patent references and Form PTO-1449
are submitted herewith.

Respectfully submitted,



Robert A. Kent
Registration No. 28,626
Halliburton Energy Services
P. O. Box 1431
Duncan, OK 73536-0440
580-251-3125

PTO-1449

APR 15 2005

Information Disclosure Citation in an Application
Application No.
10/763,800Docket Number
2003-IP-009464U1Applicant(s)
Larry S. Eoff, et al

Group Art Unit

Filing Date
01/24/2004**U.S. PATENT DOCUMENTS**

	DOCUMENT NO.	ISSUE/ PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
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	2,910,436	10/27/59	Fatt, et al	252	8.55	10/02/53
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	3,251,415	05/17/66	Bombardieri, et al	166	42	04/01/65
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	3,382,924	05/14/68	Veley, et al	166	42	09/06/66
	3,434,971	03/25/69	Atkins	252	8.55	08/25/65
	3,441,085	04/29/69	Gidley	166	307	09/07/67
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	4,447,342	05/08/84	Borchardt, et al	252	8.55D	04/19/82
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	4,462,718	07/31/84	McLaughlin, et al	405	264	05/04/78

EXAMINER**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449 Information Disclosure Citation in an Application		Application No. 10/763,800	Applicant(s) Larry S. Eoff, et al			
		Docket Number 2003-IP-009464U1	Group Art Unit	Filing Date 01/24/2004		
U.S. PATENT DOCUMENTS						
	DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
	4,536,297	08/20/85	Loftin, et al	252	8.5C	01/19/84
	4,536,305	08/20/85	Borchardt, et al	252	8.55R	09/21/84
	4,554,081	11/19/85	Borchardt, et al	252	8.5A	05/21/84
	4,563,292	01/07/86	Borchardt	252	8.55R	08/02/84
	4,604,216	08/05/86	Irvin, et al	252	8.510	06/11/84
	4,627,926	12/09/86	Peiffer, et al	252	8.55R	09/19/84
	4,693,639	09/15/87	Hollenbeak, et al	405	263	06/25/86
	4,699,722	10/13/87	Dymond, et al	252	8.551	05/23/85
	4,730,028	03/08/88	Bock, et al	526	225	03/28/86
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	5,271,466	12/21/93	Harms	166	300	10/30/92
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	5,887,653	03/30/99	Bishop, et al	166	281	08/15/97
EXAMINER				DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						

PTO-1449 Information Disclosure Citation in an Application		Application No. 10/763,800	Applicant(s) Larry S. Eoff, et al				
		Docket Number 2003-IP-009464U1	Group Art Unit	Filing Date 01/24/2004			
U.S. PATENT DOCUMENTS							
		DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
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		5,979,557	11/09/99	Card, et al	166	300	05/29/97
		6,187,839 B1	02/13/01	Eoff, et al	523	130	03/03/99
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U.S. PATENT DOCUMENTS						
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FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	DT 2 250 552	04/18/74	Germany	39b4	19/00	X
	EP 0 383 337 A2	08/22/90	Europe	E21B	33/138	X
	EP 0 896 122 A2	02/10/99	Europe	E21B	33/138	X
	EP 1 033 378 A1 (See Equivalent, US 6,380,137 B1)	-	-	-	-	X
	EP 1 193 365 A1	04/03/02	Europe	E21B	33/138	X
	EP 1 312 753 A1	05/21/03	Europe	E21B	33/138	X
	GB 2 221 940 A	02/21/90	UK	C09K	7/02	X
	WO 93/15164 (See Equivalent, US 5,972,848)	-	-	-	-	X
	WO 99/49183	09/30/99	PCT	E21B	43/02	X
	WO 99/50530	10/07/99	PCT	E21B	43/02	X
	WO 02/097236 A1	12/05/02	PCT	E21B	43/02	X
EXAMINER				DATE CONSIDERED		
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